IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

Bail Appl..No. 3466 of 2007()

CMP.2400/2007 of J.M.F.C.,KASARAGOD
CRIME NO.171/2001 OF KUMBALA POLICE STATION

PETITIONER/ACCUSED

O.SHIBUKUMAR @ PULLIMAN,
S/O. K.C.CHELLAPPAN, AGED 37 YEARS,
S.R.NIVAS, KUTAKKATTA, KIZHUVALLAM VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM.

BY ADV. SRI.J.JAYAKUMAR

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, REPRESENTING
THE STATION HOUSE OFFICER, KUMBALA POLICE
STATION, KASARGOD.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.3466 of 2007

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DATED:11-06-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the sole accused in Crime No.171/2001 of Kumbala Police Station for an offence punishable under Section 376 IPC seeks his enlargement on bail. Petitioner was arrested on 25.5.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 19.6.2007 on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M I, Kasargod and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE

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In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the sole accused in C.R. No.8/2007 of Sulthan Bathery Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 3 liters of illicit arrack, seeks his enlargement on bail. Petitioner was arrested on 6.2.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offence and the other circumstances of the case, I am inclined to grant bail to the petitioner, but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 6.3.2007, on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Sulthan Bathery, and subject to the following conditions: